

## **REMARKS**

### **Election of a Single Group under 37 C.F.R. 1.143.**

Applicant has selected Group 1 for prosecution on the merits without traverse. Group 1 is drawn to claims 1-5. Accordingly, Claim 6 has been withdrawn.

## **CONCLUSION**

In view of the foregoing amendment and remarks, it is believed that this Application is now in condition for allowance. Early and favorable reconsideration is respectfully solicited.

If the Examiner has any questions regarding the foregoing amendment and remarks, or if prosecution of this Application could be furthered by a telephone interview, the Examiner is requested to telephone the Applicant's undersigned attorney.

Respectfully submitted,

By:   
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Date: December 11, 2006

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Non-provisional patent application of

Deon Anson

Group Art Unit: 1761

Application No: 10/764,331

Examiner Name: Anthony J. Weier

For: BEVERAGE AND METHOD OF MAKING A BEVERAGE

Filing Date: January 23, 2004

Mailing Date of

Office Action: November 9, 2006

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Mail Stop Response

**Date of Deposit: December 11, 2006**

I hereby certify that this Response to Office Action and fee are being deposited with the United States Postal Service via First Class Mail on the date indicated above, addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, Mail Stop Response.

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Date: December 11, 2006

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